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206

PAGE 01 STATE 004259

89

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INFO OCT-01 IO-13 CIAE-00 DODE-00 PH-05 H-02 INR-07 L-03

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REVIEWED BY Ch. Jell DATE 12/23/81

FDS or XDS NEXT DATE

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REASON(S)

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CONFIDENTIAL

SUBJ: SOVIET COMPLAINT RECENT DEMONSTRATIONS AT SOVIET
ESTABLISHMENTS IN NEW YORK

REF: MOSCOW 7065

1. PLEASE MAKE FOLLOWING ORAL STATEMENT TO KOZYREV OR OTHER
APPROPRIATE MFA OFFICIAL:

2. THE EMBASSY REFERS TO THE MINISTER'S STATEMENT OF DECEMBER
31, 1969, REGARDING RECENT OBSTACLES AFFECTING THE SOVIET
MISSION TO THE UNITED NATIONS AND SOVIET BUSINESS ESTABLISHMENTS
IN NEW YORK CITY.

UNCLASSIFIED



Department of State

UNCLASSIFIED

TELEGRAM

PAGE 02 STATE 004259

3. THE UNITED STATES GOVERNMENT WISHES TO EXPRESS EXPRESSIONS OF REGRET, ALL OF WHICH WERE MADE IN WASHINGTON, NEW YORK AND MOSCOW, FOR THE DAMAGE INFLECTED UPON SOVIET CITIZENS SITUATED IN NEW YORK CITY. THE UNITED STATES GOVERNMENT DOES NOT, OF COURSE, CONSIDER THE ACTIONS OF THE KING FOR WHATEVER PURPOSE.

4. THE EMBASSY WISHES TO STATE THAT THE AUTHORITIES MADE FOUR ARRESTS ON DECEMBER 29, 1969, TWO WITH CRIMINAL CONDUCT AND TWO WITH CRIMINAL RECORD. THEY RECEIVED SUMMONSES TO APPEAR IN CRIMINAL COURT. FIVE PERCENT OF TASS ON DECEMBER 29. COURT ON JANUARY 2, WHEN ACCORDING TO LAW. THE ARREST SUMMONSES TO APPEAR ON JANUARY COURT. THEY ARE CHARGED WITH HARASSMENT AND CONSPIRACY. WERE MADE ON DECEMBER 29. AT THE AEROFLOT OFFICE. COMPELLED TO RELEASE ALL PERSONS FROM AEROFLOT APPEARED.

5. WHILE THE UNITED STATES GOVERNMENT IS CONCERNED BY THE DISTURBANCES OF A NON-PEACEFUL SOVIET MISSION TO THE UNITED STATES LEGATION THAT THESE ACTIONS ARE IN VIOLATION OF THE CONSTITUTION. OFFICIALS HAVE TAKEN STEPS TO MAINTAIN THE SOVIET MISSION AND TO MAINTAIN A PEACEFUL ASSEMBLY IS A RIGHT OF THE UNITED STATES. WHEN CONTROL THE DEMONSTRATIONS. IN QUESTION. WHEN THE MISSION ASSUMED A NON-PEACEFUL CHARACTER, 32 ARRESTS WERE MADE ON DECEMBER 30. THE UNLAWFUL CONDUCT AND RECENT SUMMONSES TO APPEAR ON JANUARY 15 IN HANNAHAN CRIMINAL COURT.

UNCLASSIFIED

10



Department of State

UNCLASSIFIED

TELEGRAM

PAGE 03 STATE 004259

6. CONSEQUENTLY, THE UNITED STATES GOVERNMENT HAS FULLY MET ITS OBLIGATION TO PROTECT THE PREMISES OF THE MISSION. THERE IS NO MERIT TO THE CHARGE THAT THE UNITED STATES GOVERNMENT HAS VIOLATED THE AGREEMENT OF JUNE 26, 1949 BETWEEN THE UNITED NATIONS AND THE UNITED STATES GOVERNMENT CONCERNING THE HEADQUARTERS OF THE CENTRAL ESTABLISHMENTS OF THE UNITED NATIONS OR ANY OF THE PROVISIONS OF THE CONVENTION ON PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS, IRRESPECTIVE OF THE FACT THAT THE UNITED STATES HAS NOT ACCEDDED TO THAT CONVENTION.

7. AS TO THE MINISTERS' CHARGE THAT THE DEMONSTRATIONS WERE IN SOME MANNER CONNECTED WITH RECENT EVENTS IN THE MIDDLE EAST, THERE IS NO REASON TO CONCLUDE THAT THE MOTIVATION FOR THE PROTESTS WAS OTHER THAN THAT ADVANCED BY THE PARTICIPANTS IN THE DEMONSTRATIONS.

8. DAMAGES SUCH AS THOSE INCURRED BY THE NEW YORK PREMISES OF AEROFLOT AND TASS WERE ENTIRELY COVERED BY THE CUSTOMARY COMMERCIAL INSURANCE CARRIED BY BUSINESS ESTABLISHMENTS. THE UNITED STATES GOVERNMENT HAS NO OBLIGATION UNDER INTERNATIONAL LAW AND POLICY TO ACCEPT CLAIMS FOR REPARATION OF THE TYPE MADE AND HAS NOT DONE SO IN SIMILAR CASES INVOLVING OTHER COUNTRIES.

9. AT THE SAME TIME, THE DEPARTMENT OF STATE HAS DISCUSSED WITH THE LOCAL POLICE AUTHORITIES THE PROBLEM OF PROVIDING ADEQUATE PROTECTION TO SOVIET PROPERTIES DISPERSED THROUGHOUT NEW YORK CITY. THE POLICE WILL TAKE ALL REASONABLE MEASURES TO AVERT SIMILAR UNDESIRABLE OCCURRENCES IN THE FUTURE.

UNCLASSIFIED

20